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Remarks

Claims 1 - 12 remain pending in the application.

Claim Rejections - 35 U.S.C §102

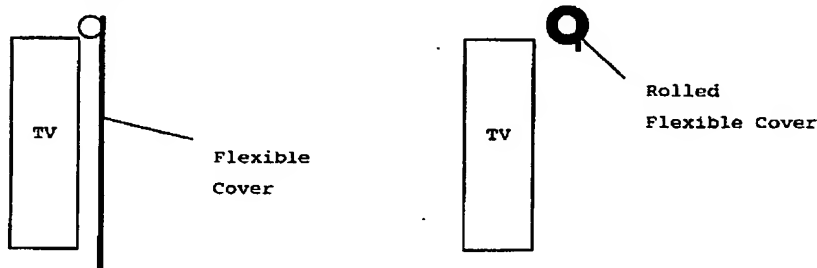
The Office Action rejects claims 1, 5 - 8 and 12 as anticipated by Pecorino et al., Video Display Screen Cover U.S. Patent 5,264,765 (Nov. 23, 1993) under the assertion that Pecorino discloses a mountable television display concealment device capable of exposing a television display, said concealment device comprising a rigid planar panel with a front face, back face, and two side edges; at least one support bracket with a front face, back face, and two side edges wherein one of the side edges is adapted for securing on a vertical surface; attachment means capable of fixedly engaging the side edges of the planar panel to one of the side edges of each support bracket; and means for pivoting the planar panel up from a first retracted position wherein the planar panel covers the television display to a second extended position wherein the display is visible for viewing. The Applicant respectfully traverses the rejection.

Pecorino fails to disclose all of the Applicant's claim limitations. The Applicant's limitations include in claims 1, 5 - 8 and 12 a rigid planar panel (cover) and means for pivoting the planar panel up from a first retracted position wherein the planar panel covers the television display to a second extended position wherein the display is visible for viewing. Pecorino fails to disclose a rigid planar panel and means for pivoting the planar panel. Pecorino is directed towards a device that rolls or spools a flexible cover about a roller. (see abstract,

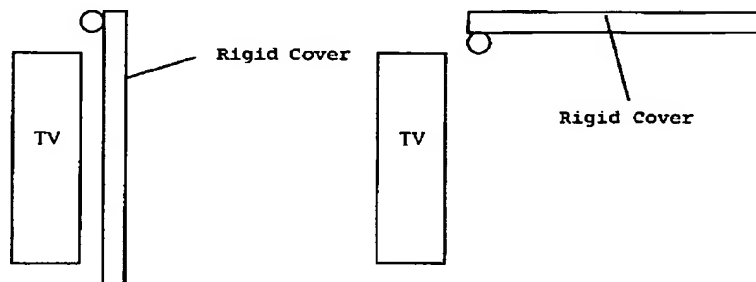
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col. 2, lines 31 -39) The Pecorino device works much like a pull-down window shade. The cover in Pecorino must be flexible in order for it to be rolled and unrolled about a roller and cannot be rigid. (See Pecorino abstract and col. 2, lines 31 - 39.) The Pecorino device in the closed and opened position is illustrated below.



In contrast to Pecorino, the Applicant claims a rigid panel (cover) and means for pivoting the cover. "Rigid" may be defined as marked by a lack of flexibility. (*The American Heritage® Dictionary of the English Language, Fourth Edition, Copyright © 2000 by Houghton Mifflin Company*). The Applicant's device opens a rigid panel (TV cover) by pivoting it about an axis. An illustration of the Applicant's device in the closed and opened position is illustrated below.



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As shown and discussed, Pecorino fails to disclose, a rigid planar panel and means for pivoting the planar panel. Since Pecorino fails to disclose at least one limitation claimed by the Applicant, Pecorino fails to anticipate the Applicant's claimed invention. Therefore, withdrawal of the rejections is respectfully requested.

Claim Rejections — 35 U.S.C §103

The Office Action rejects claims 2 - 4 and 9 - 11 as obvious over Percorino under the assertion that Percorino discloses a concealment device capable of exposing a television display, but fails to disclose use of a mirror, a piece of art work or a white board. The Office Action further asserts that it would have been obvious to one of ordinary skill in the art to modify Percorino to use a mirror, a piece of art work or a white board to serve a decorative function. The Applicant respectfully traverses the rejection.

There is no implicit and explicit motivation to combine or modify Pecorino in the manner stated in the Office Action. The Applicant's limitations include in claims 2 - 4 and 9 - 11 a rigid planar panel and means for pivoting the planar panel up from a first retracted position wherein the planar panel covers the television display to a second extended position wherein the display is visible for viewing. As discussed earlier, Pecorino fails to disclose, teach or suggest a rigid planar panel and means for pivoting the planar panel. The panel in Percorino is flexible. There is no suggestion to modify Pecorino for use with rigid panels. Furthermore, the Percorino device would be rendered inoperable if its panel were rigid. A rigid panel could not be rolled and unrolled about a roller. Since

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Percorino fails to teach or suggest use of a rigid panel to cover the display, since there is no motivation to combine or modify Pecorino in the manner suggested by the Office Action and since Pecorino would be rendered inoperable if modified as suggested in the Office Action, Percorino fails to render obvious the Applicant's claimed invention. For at least these reasons, withdrawal of the rejections is respectfully requested.

Conclusion

This response has addressed all of the Examiner's grounds for rejection. The rejections based on prior art have been traversed. Reconsideration of the rejections and allowance of the claims is requested.

Date: September 1, 2006

By:


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